IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION NO.2692 OF 2005

Sangli Miraj Kupwad Cities Municipal Corporation).. Petitioner

Versus

Maruti Ganpati Jadhav).. Respondent

Mr.N.V.Walawalkar for the Petitioner.

CORAM: SMT.NISHITA MHATRE, J.

DATED: 14TH JULY 2005

P.C.:

. The Petition challenges the concurrent findings of fact of the Labour Court and the Industrial Court granting the Respondent reinstatement with continuity of service but without back wages. It is submitted on behalf of the Petitioner that the Complaint has been filed belatedly and, therefore, ought to have been rejected. The Labour Court and the Industrial Court have considered this issue and in such circumstances have denied the back wages to the workman. The other submission made is that the workman has not been appointed through the Employment Exchange and, therefore, his appointment is illegal. However, a statement of fact is made in the Written Statement that he is not appointed through the Employment Exchange. There is nothing on record to show that persons who are not registered with the Employment Exchange are not taken on duty. Hence,

Petition rejected.